

# **Policy 2: Reporting and Progress Tracking**

## **Buffer Law Implementation**

August 25, 2016

## **Policy**

It is BWSR's policy that SWCDs are required to provide reporting to BWSR to ensure they are "tracking progress towards compliance." This policy provides a consistent process through which SWCDs can understand those expectations. Progress reporting must be accomplished as follows:

- 1. Buffer compliance reporting must be submitted, in a form prescribed by the board, by SWCDs by the following dates:
  - a. January 1, 2017
  - b. January 1, 2018
  - c. July 1, 2018
  - d. January 1, 2019
- 2. Beginning January 1, 2019 reporting must be submitted annually.
- 3. SWCDs who commit to using the BWSR Buffer Compliance Tracking Tool, and provide all of the needed information to support it, will meet the reporting requirements listed in Items #1 and #2.
- 4. Starting November 2, 2018, ongoing compliance tracking of all parcels subject to the Buffer Law, at least once every 3 years, will occur as provided in a local monitoring plan adopted by the SWCD and via requests for validations of compliance, spot checks, complaints to ensure riparian protections continue to be in place.
- 5. Each SWCD will adopt a plan for ongoing tracking of compliance, posted to the SWCD website, no later than November 2, 2018.

# **Background**

The Buffer Law requires Soil and Water Conservation Districts (SWCDs) to assist landowners with implementation of the water resource riparian protection requirements. This policy describes the specific activities which SWCDs must perform under Minnesota Statutes 103F.48.

#### **SWCDs**

- A. Must provide assistance to landowners which includes:
  - a. planning assistance
  - b. technical assistance
  - c. implementation of approved alternative practices, and;
  - d. tracking progress toward compliance with the requirements.

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This policy provides a consistent process through which SWCDs can understand implementation expectations. It provides a framework for landowner compliance reviews and reporting by local governments. Guidance and tracking tools will also be developed to support SWCDs.

#### **Policy Need:**

- 1) Landowners need assurance of consistent and equitable enforcement of the Buffer Law.
- 2) SWCDs must consistently collect information regarding compliance that can be used to measure implementation progress statewide.
- 3) The Board of Water and Soil Resources (BWSR) needs a clear basis for withholding funds from a water management authority or SWCD that fails to implement the law.

### **Statutory Basis.**

- Section 103F.48, Subd. 6 Local implementation and assistance
- Section 103F.48. Subd. 8 Funding subject to withholding.
- 103B.101 Subd. 12(a) Administrative Penalty Orders.